IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO: 24371 of 1995

Between:

1.A.srinivasa rao, S/O Jagannayakula Naidu, aged about 71 years, Retired Municipal Employee.

2.P.Adeiah, S/O Mutyalu, aged about 70 years,

Retired Municipal Employee.

3.B.Ramaiah, S/O Naraiah, aged about 71 years,

Retired Municipal Employee.

4.P.Krishna Das, S/O Polaiah, aged about 72 years,

Retired Municipal Employee.

5.D.Raghavulu, aged about 69 years,

Retired Municipal Employee.

6.M.Rajaiah S/O Veeraswami, aged about 73 years,

Retired Municipal Employee.

7.B.Narasimha Rao S/O Venkateswarlu, aged about 68 years,

Contractor.

8.Gadhiraju Narayanamma, W/O Dharma Raju,

aged about 55 years, House Wife.

9.B.Lakshminarayana, S/O Sreemannarayana, aged about 72 years, Hindi Teacher.

All are residents of Janakirampet, Gudur, Nellore District.

..... PETITIONERS

AND

1.The Municipal Commissioner, Gudur Municipality,

Nellore District.

2.The Director of Municipal Administration, Nampally, Hyderabad.
3.The Secretary to the Government, Municipal Administration, Secretariat Building Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or direction more particularly one in the nature of writ of mandamus declaring the action of the 1st respondent issuing impugned notices dated 25-8-95 and 14-9-95 for payment of arrears and eviction default as illegal arbitrary and consequentially direct the 1st respondent to register the respective quarters allotted to the petitioners in the name of the petitioners.

Counsel for the Petitioner: MR.G.DASARADHARAMI REDDY

Counsel for the Respondent No.1: MR.D.SRINIVAS, (SC)

Counsel for the Respondent Nos.2 & 3: GP FOR MUNICIPAL ADMINISTRATION.

The Court made the following:

ORAL ORDER:

Heard both sides.

2. The only grievance of the petitioners is that in spite of the fact that they being the hire purchasers of some houses, constructed by the respondents, could not get registered those houses in their favour in spite of completion of all the formalities.

3. It appears that earlier the petitioners have approached the Consumer Forum and a decision had been rendered in their favour. It seems that the registration of the said houses could not be effected by the first respondent for want of clearance from the second respondent.

4. The learned Government Pleader for Municipal Administration submits that pursuant to the decision rendered by the Consumer Forum, the matter had already been referred to the Government. The grounds on which such reference was made and

as to whether the issue is pending before the Government are not forthcoming.

5. But, however, it appears that the matter is still pending before the Government for final decision. Though the matter is very old, the petitioners, being the allottees of the houses on hire purchase scheme, could not get their respective houses registered in their favour.

6. For the foregoing reasons and having regard to the facts and circumstances, the respondents are directed to consider the proposals and the issues raised by the petitioners regarding the registration of the houses allotted in their favour as expeditiously as possible and take a decision in accordance with the G.Os., or any other guidelines existing as of now, in any event not later than six months from the date of receipt of a copy of this order.

7. It is made clear that pending finalization of the issue involved, by the respondents, the interim direction granted by this Court in W.P.M.P.No.29995 of 1995, dated 30-10-1995, which was made absolute on 23-01-1996, shall continue to be in force.

8. With the above directions, the writ petition is disposed of. However, there shall be no order as to costs.

D.S.R.VARMA, J

09TH SEPTEMBER 2004

KRK

To:

1.The Municipal Commissioner, Gudur Municipality, Nellore District.

2.The Director of Municipal Administration, Nampally, Hyderabad.
3.The Secretary to the Government, Municipal Administration,
Secretariat Building Hyderabad.

4.Two C.Cs to the Government Pleader for Municipal Administration, High Court Buildings, Hyderabad (OUT).

5.Two C.D Copies.